

Division of Licensing  
Proposed Statute Changes

Agenda Item 8C

Code Section	Sub Section	Action	Change Requested	Change Type	Comments
2089.5	(d)(2)	Amend	Has an approved <u>ACGME or RCPSC</u> residency program in family practice or in the clinical area of the instruction for which credit is being sought.	Omnibus	Specify type of residency programs for clarity.
2096		Amend	... shall show by evidence satisfactory to the Division of Licensing that he or she has satisfactorily completed at least one year of <u>ACGME or RCPSC</u> approved postgraduate training, ...	Omnibus	Specify type of residency programs for clarity.
2102	(d)	Amend	Pass the written examination as provided under Article 9 (commencing with Section 2170.) <del>If an applicant has not satisfactorily completed at least two years of approved postgraduate training, the applicant shall also pass the clinical competency written examination.</del> An applicant shall be...	Omnibus	FSMB has changed requirements to take SPEX exam. FSMB will not test anyone without state license.
2107	(b)	Amend	... Postgraduate training substituted for undergraduate training shall be in addition to <del>the year of</del> postgraduate training required by Sections 2102 and 2103.	Omnibus	Technical change to match Sections 2102 and 2103 requirement.
2135	(a)(1)	Amend	Successful completion of a resident course of professional instruction <u>leading to a MD degree</u> equivalent to that specified in Section 2089.	Omnibus	Specifying MD degree, to ensure understanding.
2135	(d)	Amend	The applicant (1) <u>has satisfactorily completed at least one year of approved postgraduate training and</u> is certified by a specialty board approved by the American Board of Medical Specialties or approved by the division pursuant to subdivision (h) of Section 651; (2) has satisfactorily completed at least two years of approved postgraduate training; or (3) <u>has satisfactorily completed at least one year of approved postgraduate training and</u> takes and passes the clinical competency written examination.		This change will maintain consistency between all licensing pathways.

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2135.5		Amend	...the clinical instruction requirements of Sections 2089.5 and 2089.7, <del>and</del> the examination requirements of Sections 2170, <u>and satisfactory completion of the postgraduate training required under Section 2096</u> if the applicant...		This change will maintain consistency between all licensing pathways.
2135.5	(d)	Amend	Clarify that the medical education obtained in receiving a medical degree does not include any coursework obtained at an unrecognized or disapproved medical school.		To clarify that all coursework must be completed in a Division approved or recognized school or schools.
2172		Repeal	Board no longer administers examinations.	Omnibus	Board no longer administers examinations.
2173		Repeal	Board no longer administers examinations.	Omnibus	Board no longer administers examinations.
2174		Repeal	Board no longer administers examinations.	Omnibus	Board no longer administers examinations.
2175		Amend	<u>State</u> examination records shall be kept on file by the Division of Licensing <del>for a period of two years or more until June 2069.</del>	Omnibus	The last State administered examination was in June 1969. The Division no longer administers examinations. Therefore we want to set a sunset date to no longer maintain exam records and then destroy them that is consistent with other records retention periods for physician and surgeon files. This will ensure that we do not destroy any exam records of existing licensees until such time as these licensees are deceased.
2221	(a)	Add	<u>The Division of Licensing may issue a Public Letter of Reprimand for lesser violations not leading to denial or probation of a license. This action will not preclude issuance of an unrestricted license pursuant to Section 477(b).</u>	New (a), need to renumber all other sections	This will allow DOL to address lesser violations that do not rise to the level of probation or denial.

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2221	(e)	Amend	An applicant shall not be eligible to reapply for a physician's and surgeon's certificate <u>when denied</u> for a minimum of three years from the effective date of the <u>final decision or action.</u> <del>denial of his or her application.</del> Except that the division may, in its discretion and for good cause demonstrated, permit reapplication after not less than one year has elapsed from the effective date of the <u>final decision or action.</u> <del>denial.</del>		This technical change will make the reapplication process consistent with that of others who do not appeal denial. It will eliminate the unintended opportunity for an applicant to appeal a denial all the way through the Superior Court process AND at the same time reapply for licensure prior to the resolution of appeal process.